

Before the Board of Zoning Adjustment, D. C.

Application No. 11690 of Gallilee Baptist Church, pursuant to Section 8207.1 of the Zoning Regulations for variances to permit the construction of a church as provided by Sections 3303.1, 3303.1 and 3304.1 of the regulations which would allow 100% lot occupancy of the proposed structure which is located in a R-4 District at 1200 Constitution Avenue, N. E., Lots 833, 838, 839, 840, Square 1010.

HEARING DATE: August 21, 1974
EXECUTIVE SESSION: August 27, 1974

FINDINGS OF FACT:

1. The applicant proposed to construct a church which would cover 100% of the subject property.
2. The subject property is located in the R-4 District, which is residential in nature and permits conversions of single-family dwellings to dwellings for two or more families with certain area restrictions. This District is not an apartment house district because conversion of existing structures is controlled by a minimum lot area per family requirement.
3. Churches are permitted as a use as a matter of right in all zone Districts, however, all height bulk and area restrictions apply to churches as structures.
4. The Zoning Regulations at Section 3304.1, require the applicant to provide a rear yard of 20 feet and limit lot occupancy to 60 per cent.
5. The applicant testified at Public Hearing that a practical difficulty exists to the church, by reason that it has outgrown its present church facility because of increase in church enrollment.
6. The Capitol Hill Restoration Society supports the applicant's proposal and stated by letter to the Board, that because of the special use proposed by the applicant, and the apparent need of the church's congregation, that an undue hardship would result from strict application of the Zoning Regulations because of the practical difficulties involved. The society further stated that the proposed structure would not detract from or have an adverse affect on the neighborhood.

7. There was no opposition registered at the Public Hearing.

CONCLUSIONS OF LAW:

Based upon the above findings, the Board concludes that the applicant has not established the necessary proof to support the requested variance as required by Section 8207.11 of the Zoning Regulations. It is the opinion of the Board, that the increase of church members is not in this case peculiar and exceptional practical difficulty within the meaning of the variance clause (8207.11). In addition, the Board concludes that the granting of variances which would allow a 100% lot occupancy in the R-4 Zone which has a primary purpose to stabilize remaining one-family dwelling, would impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

ORDERED:

That the above application be DENIED.

VOTE:

5-0

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:



JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER: OCT 03 1974